



SO ORDERED.

SIGNED this 6 day of June, 2016.

Stephani W. Humrickhouse

**Stephani W. Humrickhouse
United States Bankruptcy Judge**

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION**

IN RE:

KIMBERLY FRANCHON DAVIS

Soc. Sec. No. xxx-xx-8218

Mailing Address: 10110 Purchase Crossing, Unit 306, Raleigh,
NC 27617-

CHAPTER 13

CASE NO. 14-07138-5-SWH

DEBTOR

ORDER MODIFYING CHAPTER 13 PLAN

THIS MOTION to Modify the Chapter 13 plan in this case, dated May 9, 2016, filed by the Debtor together with an application by the Debtor's counsel for approval of an additional attorney fee, having come before this Court for consideration,

THE COURT FINDS that the Debtor's Motion to Modify was properly made, in accordance with Section 1329 of the Bankruptcy Code, and was duly noticed of and served on the Trustee and all other parties of interest in this case, and that no objections to the proposed modification were filed; and that there is just cause for the proposed modification inasmuch as a sufficient change in circumstances has evolved in this case, and the proposed plan conforms to the modification standards for a Chapter 13 plan set forth in Sections 1322(a), 1322(b), 1323(c) and 1325(a) of the Code.; and,

THE COURT FURTHER FINDS that there is just cause to allow the application for an additional attorney fee, in accordance with the presumptive fee schedule set forth in E.D.N.C. LBR 2016-1(a)(2) and (a)(6) regarding this Motion to Modify plan,

IT IS THEREFORE ADJUDGED, ORDERED AND DECREED that the Debtor's Motion To Modify Chapter 13 Plan is hereby granted; and that the Debtor's Chapter 13 plan is modified as follows:

From:

\$1,155.00 per month for a period of 9 months, followed by

\$210.00 per month for a period of 51 months.

To:

\$710.00 per month for a period of 17 months, followed by

\$272.00 per month for a period of 48 months for a total plan length not

to exceed sixty (60) months from the date of confirmation.

IT IS FURTHER ADJUDGED, ORDERED AND DECREED that the Trustee is authorized to pay the residual claims of secured creditors over the full life of the Chapter 13 plan.

IT IS FURTHER ADJUDGED, ORDERED AND DECREED that the base of the Chapter 13 plan in this case shall be changed from \$21,105.00 to \$25,126.00, and may reduce the dividend to be paid to unsecured creditors who have filed claims.

IT IS FURTHER ADJUDGED, ORDERED AND DECREED that the plan, as so modified, shall henceforth constitute the Chapter 13 plan in this case.

IT IS FURTHER ADJUDGED, ORDERED AND DECREED, an additional attorney fee for Debtor's attorney, regarding the handling of this Motion to Modify, is hereby approved in the amount of \$450.00, to be paid by the Chapter 13 Trustee as an administrative expense out of funds already provided in this modified plan.

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